



133860-2 (MHM 14882US02)

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if several names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Ultrasound Breast Screening Device

☐ the specification of which is attached hereto OR

☒ was filed on July 9, 2003 as Application Serial No. _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY NOT CLAIMED	CERTIFIED COPY ATTACHED
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. PARENT APPLICATION OR PCT PARENT NUMBER	PARENT FILING DATE (day, month, year)	STATUS (patent and number, pending, abandoned)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER(S)	FILING DATE (day, month, year)
60/453,644	March 11, 2003

As a named inventor, I hereby appoint Practitioners at Customer Number 23446; Carl B. Horton (Reg. No. 34,622), Peter J. Vogel (Reg. No. 41,363), Michael A. Della Penna (Reg. No. 45,697), Ronald E. Myrick (Reg. No. 26,315), Henry J. Policinski (Reg. No. 26, 621) and Scott R. Hayden (Reg. No. 41,821) jointly, and each of them severally, my/our attorney(s) or agents(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

I hereby direct that all correspondence and telephone calls in connection with this application be addressed to Practitioners at Customer Number 23446.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, statements were made with the knowledge that willfully false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that all such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: **Heidi D. Zhang**

Inventor's signature: Heidi Zhang Date: 17 July 2003

Residence: 367 Penn Way
Los Galos, California 95032

Citizenship: ~~USA~~ Canada

Post Office Address: same

Full name of second joint inventor: **Robert F. Lawrence**

Inventor's signature: _____ Date: _____

Residence: 65 Glen Haven Ridge
Soquel, California 95073

Citizenship: USA

Post Office Address: same

Full name of third joint inventor: **Gilbert M. Lima**

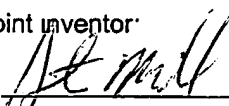
Inventor's signature: _____ Date: _____

Residence: 227 Prairie Dog Lane
Fremont, California 94539

Citizenship. USA

Post Office Address: same

Full name of fourth joint inventor: **Steven C. Miller**

Inventor's signature: 

Date: 8-19-2003

Residence: W226N2572 Aspenwood Lane
Waukesha, Wisconsin 53186

Citizenship: USA

Post Office Address: same

Full name of fifth joint inventor: **Ann L. Hall**

Inventor's signature: *Ann L. Hall*

Date: *August 19, 2003*

Residence: 16015 West Top-O-Hill Drive
New Berlin, Wisconsin 53151

Citizenship. USA

Post Office Address: same



Docket No. 133860-2 (MHM 14882US02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Zhang, et al.

Serial No. 10/616,319

Filed: July 9, 2003

For: Ultrasound Breast Screening Device

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

EXPRESS MAIL NO: EV 303 831 310 US

DATE: November 17, 2003

DECLARATION OF JOSEPH M. BUTSCHER

I, Joseph M. Butscher, declare the following:

1. I am an attorney of record in the above-identified application. I am making this Declaration to show facts in support of the Petition Under 37 C.F.R. § 1.47(a) filed concurrently herewith, requesting the Commissioner to accept the enclosed Combined Declaration and Power of Attorney ("Oath").

2. On information and belief, the present application properly names five joint inventors, namely Heidi D. Zhang, Robert F. Lawrence, Gilbert M. Lima, Steven C. Miller, and Anne L. Hall. Inventors Miller and Hall currently work for General Electric Medical Systems. Inventors Zhang, Lawrence and Lima previously worked for General Electric Medical Systems. The subject matter of the present application relates to work that the five joint inventors performed while employed by General Electric Medical Systems. Inventors Zhang, Miller and

Hall have executed the enclosed Oath. Messrs. Lawrence and Lima have refused to execute the enclosed Oath.

3. A patent application concerning the subject invention was prepared and filed on July 9, 2003.

4. A copy of the filed application, along with the Oath and other materials, was sent to Mr. Lawrence on July 10, 2003 via electronic mail (the "July 10 email"). Mr. Lawrence, however, did not respond to the July 10 email.

5. Additionally, a copy of the filed application, along with the Oath and other materials, was sent to Mr. Lima via Express Mail # EL 849000201US on July 10, 2003 (the "July 10 package"). Mr. Lima, however, did not respond to the July 10 package.

6. After receiving no reply from Mr. Lawrence with respect to the July 10 email, the undersigned sent a follow-up email to Mr. Lawrence on August 11, 2003, inquiring as to when he expected to execute the Oath (the "August 11 email"). Mr. Lawrence, however, did not respond to the August 11 email.

7. Similarly, after receiving no reply from Mr. Lima with respect to the July 10 package, the undersigned sent a follow-up letter to Mr. Lima on August 11, 2003, via Express Mail # EL 849001224US, requesting that Mr. Lima return the signed Oath to the undersigned (the "August 11 letter"). Mr. Lima, however, did not respond to the August 11 letter.

8. After receiving no reply from Mr. Lawrence with respect to either the July 10 email or the August 11 email, the undersigned sent another follow-up email to Mr. Lawrence on October 14, 2003, requesting that he sign and date the Oath (the "October 14 email"). The

October 14 email also recited the following: “If we do not hear from you by **November 14, 2003**, we will assume that you refuse to sign the Declaration and Assignment documents.” To date, Mr. Lawrence has not contacted the undersigned with respect to the present patent application, nor has Mr. Lawrence signed and returned the Oath to the undersigned.

9. Similarly, after receiving no reply from Mr. Lima with respect to either the July 10 package or the August 11 letter, the undersigned sent another follow-up letter to Mr. Lima on October 14, 2003, via Express Mail # EL 849002065US, requesting that he sign and date the Oath (the “October 14 letter”). The October 14 letter also recited the following: “If we do not hear from you by **November 14, 2003**, we will assume that you refuse to sign the Declaration and Assignment documents.” To date, Mr. Lima has not contacted the undersigned with respect to the present patent application, nor has Mr. Lima signed and returned the Oath to the undersigned.

10. Thus, on information and belief, Messrs. Lawrence and Lima both refuse to execute the Oath.

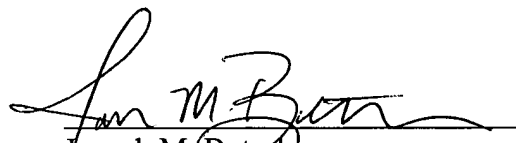
11. The three cooperative co-inventors, Inventors Zhang, Miller, and Hall, have executed the Oath on their behalf and on behalf of Mr. Moore. Additionally, the three cooperative inventors have executed an assignment to GE Medical Systems Global Technology Company, LLC of their entire right, title and interest to the subject matter described in the present application.

12. Based on the foregoing understanding of the facts, GE Medical Systems Global Technology Company, LLC is the true and correct assignee of the entire right, title and interest to the subject matter described in the present application.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Respectfully submitted

Date: November 17, 2003



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